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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PETER A. RICHARDSON, an Individual,  
Plaintiff,  
v.  
USAA CASUALTY INSURANCE  
COMPANY, an insurance company form  
of business unknown, and DOES 1-5,  
Defendant.

CASE NO. C 08-00302 SI

**[PROPOSED] ORDER GRANTING USAA  
CASUALTY INSURANCE COMPANY'S  
MOTION TO STRIKE PORTIONS OF  
COMPLAINT FOR DAMAGES**

**Date:** February 29, 2008  
**Time:** 9:00 a.m.  
**Ctrm:** 10  
**Before:** Honorable Susan Illston

**Complaint Filed:** 12/17/07

**[Accompanying Documents: Notice of  
Motion; Memorandum of Points And  
Authorities]**

The Motion of Defendant, USAA CASUALTY INSURANCE COMPANY ("USAA CIC"), came on regularly for hearing before this court on February 29, 2008, at 9:00 a.m., in Courtroom #10 of the above-entitled court. Attorney Jack S. Fischer of the law firm of McCormick, Barstow, Sheppard, Wayte & Carruth, LLP appeared on behalf of Defendant USAA CIC. All other appearances are on the record.

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1 After considering all papers in support of and in opposition to the motion and the oral  
2 argument of counsel, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

3 1. Paragraph 28 of Plaintiff's Complaint for Damages is stricken in its entirety.  
4 2. Plaintiff's Prayer for punitive damages, as set forth at 5:13-14 of the Complaint, is  
5 stricken in its entirety.

6 IT IS SO ORDERED.

7 Dated: \_\_\_\_\_, 2008  
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11 Susan Illston  
12 United States District Judge  
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